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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10 NIRVANA L.L.C.,
11 Plaintiff and
12 Counterdefendant,
13 v.
14 MARC JACOBS INTERNATIONAL
15 L.L.C., et al.,
16 Defendants and
Counterclaimants.

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18 ROBERT FISHER,
19 Plaintiff-in-Intervention,
20 v.
21 NIRVANA L.L.C., et al.,
22 Defendants-in-Intervention.

No. 2:18-cv-10743-JAK (SKx)

**ORDER RE NOTICE OF PLAINTIFF-
IN-INTERVENTION ROBERT
FISHER'S *EX PARTE* APPLICATION
TO STRIKE DEFENDANT-IN-
INTERVENTION NIRVANA'S
UNTIMELY OPPOSITION TO HIS
MOTION FOR CERTIFICATION
FOR APPELLATE REVIEW
(DKT. 246)**

1 Based on a review of the Notice of Plaintiff-in-Intervention Robert Fisher's *Ex*
2 *Parte* Application to Strike Defendant-in-Intervention Nirvana's Untimely Opposition to
3 his Motion for Certification for Appellate Review (the "Application" (Dkt. 246)),
4 insufficient good cause has been shown for certain of the requested relief. Therefore, the
5 relief requested through the Application is **DENIED IN PART**, as follows:

6 Although Defendant-in-Intervention Nirvana's opposition was untimely under the
7 Civil Standing Order, Plaintiff-in-Intervention Robert Fisher has not shown he will be
8 prejudiced as a result. Further, a modified briefing and hearing schedule is adopted in
9 this Order that also ensures no prejudice.

10 Within 10 days of the issuance of this Order, Plaintiff-in-Intervention may file a
11 superceding reply brief, not to exceed 10 pages, that addresses Defendant-in-
12 Intervention's opposition. The hearing on the Motion for Certification for Appellate
13 Review (Dkt. 241) is continued to March 25, 2024, at 8:30 a.m., with the specific time to
14 be set when the final calendar issues for that date.

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17 **IT IS SO ORDERED.**

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19 Dated: February 15, 2024



20 John A. Kronstadt

21 United States District Judge
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